

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

**UNITED STATES OF AMERICA  
PLAINTIFF**

**v.**

**CALVIN CHANCE,  
DEFENDANT**

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**CR. NO. 2:06CR122-MEF**

**NOTICE OF CLARIFICATION**

Comes now Defendant, Calvin Chance, by and through counsel of record, to clarify Defendant's position as represented to the Court at side bar on July 31, 2006. There had not been a late amendment to the plea agreement. The issue raised by counsel for Defendant was to the effect of the stated Rule 35 provision set forth therein. The matter would have been addressed by counsel and AUSA Moorer had he not been absent on assignment with the National Guard the week before the change of plea hearing and continuing through the week of the plea hearing.<sup>1</sup>

Respectfully submitted this day, August 1, 2006.

/s/Timothy C. Halstrom  
Timothy C. Halstrom  
Bar Number HAL021  
Attorney for Calvin Chance

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<sup>1</sup> Counsel did not intend to imply that AUSA Moorer had made an amendment to the agreement as presented to counsel. Neither is this notice intended to mitigate against the admonition contained in the Court's Order to defense counsel which admonition is properly received.

Of Counsel:  
Timothy C. Halstrom  
Bar # HAL021  
Attorney At Law  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 1, 2006, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send notification of such filing to the respective parties.

/s/Timothy C. Halstrom  
Timothy C. Halstrom  
Bar Number HAL021